IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

Crl.Rev.Pet.No. 2300 of 2007(E)

CRA.676/2005 of ADDL. SESSIONS COURT (FAST TRACK)-II, ALAPPUZHA
CC.689/2002 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHERTHALA

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REVN. PETITIONER: APPELLANT/ACCUSED

C.D.GOPI, S/O. DIGAMBARAN,
SWARAJ BHAVAN, THAICKAL P.O., CHERTHALA.

BY ADV. SRI.SHAJI THANKAPPAN

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. P.V.LONAN,
PATTANASSERY, THYCKAL P.O., CHERTHALA.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2300 of 2007

Dated this the 11th day of June, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one month and to pay a compensation of Rs.9,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for one month.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted two months' time from today onwards to remit the compensation amount. He shall appear before the Judicial First Class Magistrate Court-I, Cherthala on 10.8.2007 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 10.8.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl